

### REMARKS

This Amendment is in response to the final Office Action dated November 21, 2006. Claims 37, 38 and 42-61 were pending in this application. By this Amendment, claim 37 has been amended to include the recitations of claim 38. Claim 42 has been amended to include the recitations of claim 45. Accordingly, claims 38 and 45 have been canceled without prejudice. Applicants have carefully reviewed the arguments presented in the Office Action and respectfully request reconsideration of the claims in view of the remarks presented below.

Applicants thank the Examiner for indicating that claims 45-47 would be allowed if rewritten in independent form to include the recitations in the base claim and any intervening claims. Accordingly, claim 42 has been amended to include the recitation of claim 45. Applicants also thank the Examiner for indicating that claims 52-61 are allowed.

Claims 37-38 and 42-44 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,245,089 to Daniel et al. ("the Daniel patent"). Applicants strongly disagree with the Examiner's position that the Daniel patent anticipates these claims. However, in order to expedite allowance of this case, Applicants have amended claims 37 and 42. Applicants, however, reserve the right to pursue the previously pending and similar claims in a related case to be filed at a later time. As stated above, claim 42 has been amended to include the recitations of claim 45. Applicants have further amended claim 37 to include the recitations of claim 38. Applicants note that the filter disclosed in Fig. 21B of the Daniel patent is fixedly attached to the guide wire. The Daniel patent states the following regarding the embodiment relied on by the Examiner in rejecting claim 38:

In the preferred embodiment, tails 358 and 360 are attached to wire 346 at attachment region 362 by soldering, welding, brazing, adhesive, or any other suitable attachment mechanism. In the embodiment shown in FIG. 21B,

attachment sleeve 364, formed of a weldable material, is attached at its inner periphery to tails 358 and 360. Sleeve 364 is then attached, using welding or brazing, to wire 346. (Col. 15, lines 37-45)

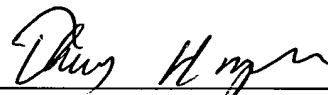
Since this sleeve 364 is soldered or brazed to the guide wire, it cannot possibly be rotatably mounted to the guide wire, as is recited in claim 37. Applicants respectfully request the Examiner to withdraw the Daniel patent as an anticipatory reference as to claim 37.

In view of the foregoing, it is respectfully urged that all of the present claims of the application are patentable and in a condition for allowance. The undersigned attorney can be reached at (310) 824-5555 to facilitate prosecution of this application, if necessary.

In light of the above amendments and remarks, Applicants respectfully request that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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